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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

TANISHA GLOVER, INDIVIDUALLY
AND ON BEHALF OF HER DECEASED
MINOR CHILD, SALTINA GLOVER
AND JENNIE JOURNET, ON BEHALF OF
HER MINOR CHILDREN, KARLOS
AND JAYLEN JOURNET

CIVIL ACTION NO. 06-513

VERSUS

JUDGE DOHERTY

FORD MOTOR COMPANY

MAGISTRATE JUDGE HILL

MEMORANDUM RULING ON MOTIONS TO DISMISS
OR ALTERNATIVELY TRANSFER VENUE
AND ON MOTION TO UPSET TRIAL

Pending before the Court are: (1) a Motion to Dismiss Without Prejudice Pursuant to Rule 41(a)(2) and in the Alternative to Transfer Venue Pursuant to 28 U.S.C. § 1404, filed by Tanisha Glover on March 1, 2007 [Doc. 20]; (2) a Motion to Dismiss Without Prejudice Pursuant to Rule 41(a)(2) and in the Alternative to Transfer Venue Pursuant to 28 U.S.C. § 1404, filed by Jennie Journet on March 7, 2007 [Doc. 22]; and (3) an unopposed motion to upset trial and court deadlines, filed by Tanisha Glover [Doc. 15]. No opposition has been filed by defendants.

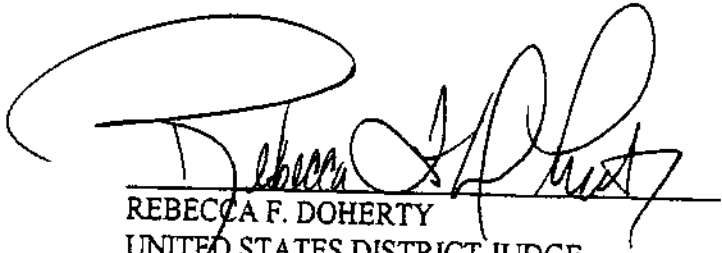
On March 5, 2007, a Notice of Motion Setting without Oral Argument [Doc. 21] was issued by this Court indicating opposition to Ms. Glover's motion must be filed within fifteen days of service of the motion. Likewise, on March 8, 2007, a Notice of Motion Setting without Oral Argument [Doc. 23] was issued by this Court again indicating opposition to Ms. Journet's motion must be filed within fifteen days of service of the motion. No opposition to either motion has been received by this Court. As the deadlines have passed for filing oppositions have passed and no

oppositions have been filed, this Court considers the motions as unopposed.

Seeing no error of law in the motions filed by Ms. Glover and Ms. Journet, this Court is inclined to dismiss these matters without prejudice; however, Ms. Glover and Ms. Journet indicate in their supplemental memoranda that litigation arising out of the facts giving rise to this matter is currently ongoing in the Southern District of Texas, Brownsville Division, where Ms. Glover and Ms. Journet ask this Court to transfer venue in the alternative. Accordingly, in consideration of litigation ongoing in the Southern District of Texas, Brownsville Division, this Court will grant the alternative relief requested by Ms. Glover and Ms. Journet.

In view of the foregoing, this Court GRANTS: (1) the Motion to Transfer Venue filed by Tanisha Glover [Doc. 20]; and (2) the Motion to Transfer Venue filed by Jennie Journet [Doc. 22]. As this matter is hereby TRANSFERRED to the Southern District of Texas, Brownsville Division, this Court hereby DENIES as MOOT the unopposed motion to upset trial and court deadlines filed by Tanisha Glover [Doc. 15].

THUS DONE AND SIGNED in Lafayette, Louisiana on this 11 day of April, 2007.



REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE